

Filed for intro on 02/02/95
Senate Bill _____
By _____

House Bill No.HB0391
By Jones

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 35, relative to the imposition of sentence in criminal cases and Title 41, Chapter 21, relative to sentence credits.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-35-210, is amended by adding the following as a new subsection:

()

(1) After July 1, 1995, when the court imposes a sentence the judge shall announce in open court and place on the record the following information:

(A) The total number of years to which the defendant is sentenced;

(B) The percentage of such sentence the defendant must serve before first being eligible for release eligibility status pursuant to Tennessee Code Annotated, Section 40-35-501;

(C) The number of years or months the defendant must serve before first being eligible for release eligibility status pursuant to Tennessee Code Annotated, Section 40-35-501; and

(D) The percentage by which the defendant's first release eligibility date will be reduced pursuant to the governor's power to reduce prison overcrowding authorized by Tennessee Code Annotated, Title 41, Chapter 1, Part 5, if applicable.

(2) The board of paroles shall inform, prior to the effective date of this act, each trial judge with criminal jurisdiction of the percentage by which inmate's release eligibility dates are being reduced pursuant to Tennessee Code Annotated, Title 41, Chapter 1, Part 5, and the offense classification of any inmates who, because of statutory restrictions or restrictions imposed by the governor, are not eligible for release eligibility reduction pursuant to such part. If either the percentage of release eligibility date reduction or the offense classification of inmates ineligible for such reduction changes, the board shall so notify such judges within thirty (30) days of any such change.

SECTION 2. Tennessee Code Annotated, Section 41-21-236, is amended by adding the following new subsection:

() Notwithstanding any other provision of law to the contrary, no sentence reduction credit authorized by this section shall operate to reduce the release eligibility date of an inmate sentenced on or after July 1, 1995. Such credits may be earned and shall operate to reduce the expiration date of such inmate's sentence.

SECTION 3. This act shall take effect on July 1, 1995, the public welfare requiring it.